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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
KE, PENG	

ART UNIT	PAPER NUMBER
2174	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/028,569	LAU ET AL.	
	Examiner	Art Unit	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-14,16-24 and 26-37* is/are pending in the application.

4a) Of the above claim(s) *35-37* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-14,16-24 and 26-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 11/28/05.

This action is made final

Claims 1-4, 6-14, 16-24, and 26-37 are pending in this application. Claims 1, 11, 21, 31, 33, and 35 are independent claims. In the Amendment, filed on 11/28/05, claims 1, 11, 21, 31, and 33 were amended, claims 35-37 were added.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-4, 6-14, 16-24, and 26-34, drawn to video segment editing or sequencing, classified in class 715, subclass 723.

II. Claims 35-37, drawn to index control, classified in class 715, subclass 721.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has a separate utility such for exporting the augmentation and; invention II has a separate utility such for searching for second content associated with the annotation. (See MPEP § 806.05(d)).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search for each group is different, restriction for examination purpose as indicated is proper.

Newly submitted claims 35-37 are directed to an invention that is independent or distinct from the invention originally claimed.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 35-37are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 4, 11 – 14, 21 – 24, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassorla et al., U.S. Patent No. 5,146,552 in view of Jain et al. U.S. Patent No. 6,567,980 further in view of Rivette US 2005/0160357

As per claim 1, Cassorla teaches a method of augmenting multimedia content by a user comprising:

receiving a selected content from the user;

receiving an augmentation from the user;

associating the augmentation with the selected content (see Cassorla, column 5, lines 8 – 24).

Exporting the augmentation and the selected content to an external application. (see Cassorla, column 7, lines 30 – 35).

However, Cassorla fails to teach the selected content comprises video content.

Jain teaches a selected content comprises video content. (see Jain, column 6, lines 42-column 7, lines 13)

It would have been obvious to an artisan at the time of the invention to include Jain's teaching with the method of Cassorla in order to allow users to find the right piece of footage instantly.

However, they fail to teach automatically launching the external application for the user in response to the exporting.

Rivette teaches automatically launching the external application for the user in response to the exporting. (paragraph 0194)

It would have been obvious to an artisan at the time of the invention to include Rivette's teaching with method of Cassorla and Rivette in order to allow users to traverse through related Web-pages using sub-notes.

As per claim 2, which is dependent on claim 1, Cassorla, Jain, and Rivette teach the method of claim 1 (see rejection above). Cassorla further teaches the method of claim 1, wherein the augmentation comprises an annotation and further comprising storing the annotation (see Cassorla, column 5, lines 8 – 24).

As per claim 3, which is dependent on claim 2, Cassorla, Jain and Rivette teach the method of claim 2 (see rejection above). Cassorla further teaches the method of claim 2 further comprising:

displaying a list of annotations for the selected content to the user (see Cassorla, column 5, lines 26 – 30);

receiving an annotation selection from the user (see Cassorla, column 9,lines 23- 37);

receiving editing data from the user; and

editing the annotation selection according to the editing data (see Cassorla, column 5, lines 31 – 38 and column 9, lines 57 – 58).

As per claim 4, which is dependent on claim 2, Cassorla, Jain, and Rivette teach the method of claim 2 (see rejection above). Cassorla further teaches the method of claim 2 further comprising:

storing the annotation and the content selection in a format suitable for use by an external application (see Cassorla, column 7, lines 36 – 41).

Claim 5 is cancelled.

As per claims 11 – 14 and 21 – 24, they are of similar scope to claims 1 – 4, respectively, and are rejected under the same rationale.

Claim 15 is cancelled.

Claim 25 is cancelled.

As per claim 31, Cassorla teaches a system for augmenting multimedia content by a user comprising:

a presentation module to present a graphical interface to the user when the user selects content (see Cassorla, column 7, lines 41 – 43);

an augmentation module to augment content selected by the user (see Cassorla, column 8, lines 11 – 13);

an augmentation retrieval module to retrieve existing augmentations for the content selected by the user (see Cassorla, column 2, lines 25 – 30); and

an augmentation export module to export an augmentation for the content selected by the the user to launch an external application (see Cassorla, column 5, lines 21 – 24 and column 7, lines 30 – 35; column 7, lines 30 – 35).

However, Cassorla fails to teach the selected content comprises video content.

Jain teaches a selected content comprises video content. (see Jain, column 6, lines 42-column 7, lines 13)

It would have been obvious to an artisan at the time of the invention to include Jain's teaching with the method of Cassorla in order to allow users to find the right piece of footage instantly.

However, they fail to teach automatically launching the external application for the user in response to the exporting.

Rivette teaches automatically launching the external application for the user in response to the exporting. (paragraph 0194)

It would have been obvious to an artisan at the time of the invention to include Rivette's teaching with method of Cassorla and Rivette in order to allow users to traverse through related Web-pages using sub-notes.

As per claim 32, which is dependent on claim 31, Cassorla, Jain, and Rivette teach the method of claim 31 (see rejection above). Cassorla further teaches the system of claim 31 further comprising:

an augmented content database containing augmentations for the content selected by the user (see Cassorla, column 6, lines 51 – 67).

As per claim 33, it is rejected with the same rationale as claim 1. (Supra)

As per claim 34, which is dependent on claim 33, it is of the same scope as claim 4. (Supra)

Claims 6, 7, 9, 10, 16, 17, 19, 20, 26, 27, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassorla et al., U.S. Patent No. 5,146,552 in view of Jain et al. U.S. Patent No. 6,567,980 further in view of Rivette US 2005/0160357and further in view of Borman et al., U.S. Patent No. 5,890,172.

As per claim 6, which is dependent on claim 1, Cassorla, Jain, and Rivette teach the method of claim 1 (see rejection above). Cassorla further teaches the method of claim 1, wherein the augmentation is a bookmark (see Cassorla, column 2, lines 20 – 23).

Cassorla, Jain, and Rivette do not teach wherein determining related sources with information related to the selected content; and associating the related sources with the

bookmark. Borman teaches determining related sources with information related to the selected content; and associating the related sources with the bookmark (see Borman, column 3, lines 8 – 22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Borman with the method of Cassorla, Jain, and Rivette in order to save user time and effort in finding information.

As per claim 7, which is dependent on claim 6, Cassorla, Jain, Rivette and Borman teach the method of claim 6 (see rejection above). Cassorla, Jain, and Rivette do not teach the method of claim 6 further comprising: displaying the related sources when the bookmark is accessed by the user; receiving a source selection from the user; and displaying information from the source selection to the user.

Borman teaches displaying the related sources when the bookmark is accessed by the user; receiving a source selection from the user; and displaying information from the source selection to the user (see Borman, column 3, lines 56 – 64). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Borman with the method of Cassorla, Jain, and Rivette in order to allow faster navigation of information by a user.

As per claim 9, which is dependent on claim 6, Cassorla, Jain, Rivette, and Borman teach the method of claim 6 (see rejection above). Cassorla further teaches the method of claim 6 further comprising:

storing the bookmark, the related sources, and the content selection in a format suitable for use by an external application (see Cassorla, column 7, lines 36 – 41).

As per claim 10, which is dependent on claim 6, Cassorla, Jain, Rivette, and Borman teach the method of claim 6 (see rejection above). Cassorla further teaches the method of claim 6 further comprising:

exporting the related sources, along with the bookmark and the content selection to an external application (see Cassorla, column 7, lines 30 – 35).

As per claims 16, 17, 19 and 20 and 26, 27, 29 and 30, they are of similar scope to claims 6 – 10, respectively, and are rejected under the same rationale.

Claims 8, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassorla et al., U.S. Patent No. 5,146,552 in view of Jain et al. U.S. Patent No. 6,567,980 further in view of Rivette US 2005/0160357 further in view of Borman et al., U.S. Patent No. 5,890,172 as applied to claim 6 above, and further in view of Hansen et al., U.S. Patent No. 6,442,144.

As per claim 8, which is dependent on claim 6, Cassorla, Jain, Rivette, and Borman teach the method of claim 6 (see rejection above). Cassorla further teaches the method of claim 6, wherein determining related sources comprises:

examining a profile of the user (see Cassorla, column 7, lines 65 – column 8, line 16). Cassorla further teaches transmitting over a remote network connection using a network device (see Cassorla, column 7, lines 30 – 35).

Cassorla, Jain, Rivette, and Borman do not teach determining if a remote network connection is available; and determining if a local network device is available. Hansen teaches determining if a remote network connection is available; and determining if a local network device is available (see Hansen, column 2, lines 47 – 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Hansen with the method of Cassorla, Jain, Rivette, and Borman in order to allow a user to more readily discover available resources.

As per claims 18 and 28, they are of similar scope to claim 8 and are rejected under the same rationale.

Response to Argument

Applicant's arguments with respect to claims 1-4, 6-14, 16-24, and 26-34 have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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